



PETER D. FOX
WNA Executive Director
Peter.Fox@WNAnews.com

WISCONSIN NEWSPAPER ASSOCIATION

...world's oldest press association, established 1853

OFFICERS

President
TOM SCHULTZ
Watertown Daily Times

1st Vice President
ANDREW JOHNSON
Campbellsport News

2nd Vice President
PIETER GRAASKAMP
*Leader-Telegram,
Eau Claire*

3rd Vice President
STEVE DZUBAY
River Falls Journal

Secretary
CHRIS HARDIE
*River Valley
Newspaper Group,
West Salem*

Treasurer
TOM COOPER
Oshkosh Northwestern

Immediate Past President
KEN DISCHLER
The Park Falls Herald

DIRECTORS

MIKE BECK
Wausau Daily Herald

KENT EYMANN
Beloit Daily News

GEORGE STANLEY
Milwaukee Journal Sentinel

BILL JOHNSTON
*Wisconsin State Journal,
Madison*

CAROL O'LEARY
*The Tribune-Phonograph,
Abbotsford*

KEVIN PASSON
Oconomowoc Enterprise

JUDY SHINGLER
*Unified Newspaper Group,
Verona*

BRIAN THOMSEN
The Valders Journal

WNA Executive Director
PETER D. FOX

March 3, 2010

Senator Pat Krietlow, Chair
Senate Committee on Rural Issues, Biofuels and Information Technology
10 South, State Capitol
PO Box 7882
Madison, WI 53707-7882

Dear Senator Krietlow and Members of the Committee:

On behalf of the members of the Wisconsin Newspaper Association (WNA), I thank you for the opportunity today to provide testimony on 2009 Senate Bill 276. WNA is opposed to this bill because it would deprive citizens of an element of public notice that has proven its value over history. At the same time, we question whether the need for this provision has been demonstrated. Has it been determined how many of the municipal jurisdictions with a functioning Web site now post agendas of upcoming meetings? And, would this requirement serve as a mandated disincentive for a local unit of government considering such a site? And, would one mandate lead to a second and a third of required content? It doesn't seem those questions have been adequately addressed.

But our primary opposition stems from its implications for the entirety of Wisconsin's framework for notifying the public of government and legal issues that affect each and every citizen of our state. The paramount issue at hand is keeping government accountable to citizens and taxpayers. The section of Wisconsin law SB 276 seeks to change is rooted in the public notice requirements required of town governments. As the honorable members of this committee understand, there are various requirements for public notice in the statutes that pertain to towns, villages, cities, counties and school districts, among other entities. Those requirements are based on the information to be shared publicly and the means available to the local government to do so. Many of these requirements are predicated on whether a newspaper is published in that particular municipality or jurisdiction.

Town governments are required to post public notice in at least three places in the town likely to give notice to the public. This particular requirement for posting a public notice *out among citizens* is because newspapers usually are published in a larger community such as a village or city rather than within a town's jurisdiction. Although some town officials might say that this posting requirement is somewhat of a nuisance, for decades it has worked well for Wisconsin towns.

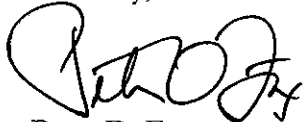
Senator Pat Krietlow, Chair
Senate Committee on Rural Issues, Biofuels and Information Technology
March 3, 2010
Page 2

The provision of SB 541 to reduce the requirement of three public posting sites to only two is a trade-off for towns to use their Web sites – which we would think they should be doing either on their own thoughtful initiative or at the request of their constituents. Imposing a new state law on a local government information matter is excessive. On the other side of the coin, we are aware that some town officers would say that maintaining the three public posting sites is a nuisance. But towns have established posting sites that local citizens are aware of and consult as a matter of course. Separately, we should note that no where in this state – or in this nation – is a public notice requirement based on convenience to the governmental unit.

SB 276 envisions a shift of public notices to local government Internet sites as an efficiency for government officers – yes, it likely would be efficient for those entities that have the infrastructure in place and the staff to maintain its site. Some people want you to believe that the future of everything is the Internet – emphatically, that is not the case and particularly not when it comes to citizen interaction with their governments. The truth is that government operated Web sites don't push notices out to anyone. While accessible to everyone with a computer, they notify no one.

We urge the committee to reject this proposal.

Sincerely,

A handwritten signature in black ink, appearing to read "Peter D. Fox", written over a large, stylized heart shape.

Peter D. Fox
Executive Director